



Jonathan Mintz
Commissioner

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RE: Home Improvement Work Paid For By A Management Company

Dear Mr. [REDACTED]

I am writing in reply to your request for a letter of interpretation if a home improvement contractor is paid by a management company for home improvement work falls under the definition of Home Improvement Contract? The answer is no.

Pursuant to Section 20-386 (6) of the New York City Administrative Code ("Code") a Home Improvement contract is defined as an "agreement, whether oral or written, or contained in one or more documents, between a contractor and an owner, or contractor and a tenant, regardless of the number of residences or dwelling units contained in the building in which the tenant resides, provided said work is to be performed in, to or upon the residence or dwelling unit of such tenant, for the performance of a home improvement and includes all labor, services and materials to be furnished and performed thereunder."

Pursuant to Section 20-386 (4) an owner is defined as "any homeowner, cooperative shareholder, condominium unit owner, tenant, or any other person who orders, contracts for or purchases the home improvement services of a contractor or the person entitled to the performance of the work of a contractor pursuant to a home improvement contract." A management company does not fall within the definition of owner and therefore a contract between you and the company does not fall within the Department's jurisdiction.

Sincerely,

[REDACTED SIGNATURE]
[REDACTED]
Staff Counsel